

FILED

JAN 13 2011

**SECRETARY, BOARD OF
OIL, GAS & MINING**

HOLME ROBERTS & OWEN LLP
A. John Davis, Utah Bar No. 0825
Christopher R. Hogle, Utah Bar No. 7223
M. Benjamin Machlis, Utah Bar No. 12585
299 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Telephone: (801) 521-5800
Facsimile: (801) 521-9639

*Attorneys for Respondent,
Earth Energy Resources, Inc.*

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

LIVING RIVERS,

Petitioner,

v.

DIVISION OF OIL, GAS AND MINING,

Respondent,

EARTH ENERGY RESOURCES, INC.,

Intervenor/Respondent.

**STIPULATED MOTION TO CONTINUE
HEARING AND FOR AMENDED PRE-
HEARING SCHEDULE**

Docket No. 2010-027

Cause No. M/047/0090 A

Petitioner, Living Rivers; Respondent, Division of Oil, Gas and Mining; and
Respondent/Intervenor, Earth Energy Resources, Inc., by and through their respective counsel of
record, hereby stipulate and jointly move the Utah Board of Oil, Gas and Mining to enter an
order continuing this matter from the Board's January 26, 2011 regular hearing to the Board's

hearing scheduled for February 23, 2011, and to modify the order for Discovery and Other Pre-Hearing Matters.

The continuance is necessary because of the other matters set for hearing before the Board on January 26, and to ensure sufficient time during the hearing for a full and fair presentation of the parties' respective positions.

The parties also request modifications to the pre-hearing schedule. The parties, however, do not seek to expand the scope of their respective obligations with respect to expert reports or pre-filed testimony, discovery, or otherwise. Attached is a proposed Stipulated Order to Continue Hearing and Amend the Pre-Hearing Schedule.

DATED this 13th day of January, 2011.

WESTERN RESOURCES ADVOCATES



Joro Walker
Rob Dubuc
Attorneys for Petitioner,
Living Rivers

UTAH ATTORNEY GENERAL'S OFFICE



Steve Alder, Assistant Utah Attorney
General
Attorney for Respondent,
Division of Oil, Gas and Mining

HOLME ROBERTS & OWEN LLP

A. John Davis
Christopher R. Hogle
M. Benjamin Machlis

hearing scheduled for February 23, 2011, and to modify the order for Discovery and Other Pre-Hearing Matters.

The continuance is necessary because of the other matters set for hearing before the Board on January 26, and to ensure sufficient time during the hearing for a full and fair presentation of the parties' respective positions.

The parties also request modifications to the pre-hearing schedule. The parties, however, do not seek to expand the scope of their respective obligations with respect to expert reports or pre-filed testimony, discovery, or otherwise. Attached is a proposed Stipulated Order to Continue Hearing and Amend the Pre-Hearing Schedule.

DATED this _____ day of January, 2011.

WESTERN RESOURCES ADVOCATES

UTAH ATTORNEY GENERAL'S OFFICE



Joro Walker
Rob Dubuc
Attorneys for Petitioner,
Living Rivers

Steve Arder, Assistant Utah Attorney
General
Attorney for Respondent,
Division of Oil, Gas and Mining

HOLME ROBERTS & OWEN LLP



A. John Davis
Christopher R. Hogle
M. Benjamin Machlis

Attorneys for Respondent/Intervenor,
Earthy Energy Resources, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 13th day of January, 2011, a true and correct copy of the foregoing **STIPULATED MOTION TO CONTINUE HEARING AND FOR AMENDED PRE-HEARING SCHEDULE** was served via email, as follows:

Joro Walker
Charles R. Dubuc
Western Resource Advocates
Attorneys for Petitioners
150 South 600 East, Suite 2A
Salt Lake City, Utah 84102
jwalker@westernresources.org
rdubuc@westernresources.org

Steven F. Alder
Assistant Attorney General
1594 W. North Temple, Suite 300
Salt Lake City, Utah 84116
stevealder@utah.gov

Mike Johnson
Assistant Attorney General
Counsel for Board of Oil, Gas and Mining
1594 W. North Temple, Suite 300
Salt Lake City, Utah 84116
mikejohnson@utah.gov


